

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY INDUSTRIAL UTILITY)	
CUSTOMERS, INC.)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2018-00034
)	
KENTUCKY UTILITIES COMPANY)	
AND)	
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANTS)	

ORDER

By Order entered March 28, 2018 (“March 28, 2018 Order”), the Commission granted a petition for rehearing filed by Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (“LG&E”) (jointly, “KU/LG&E”) on the limited issues of capitalization and cost of capital as decided in the Commission’s Order entered on March 20, 2018. KU/LG&E filed the petition on March 26, 2018, and requested a decision by March 28, 2018, regarding the Tax Cut and Jobs Act (“TCJA”) Surcredit proposed to become effective on April 1, 2018. The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (“Attorney General”), filed an interim response to KU/LG&E’s petition on March 28, 2018.

In the interim response, the Attorney General asserted that, if the Commission granted rehearing, it should not be for the limited issues of capitalization and cost of capital. The Attorney General stated that, pursuant to KU/LG&E’s notice of withdrawal

from the Offer of Acceptance and Satisfaction (“Offer”), a notice of withdrawal from the Offer was provided by the Attorney General to the other parties. No longer a signatory to the Offer, the Attorney General requested the opportunity to conduct discovery on the level of savings and impacts of TCJA to KU/LG&E, and the amortization period for unprotected excess deferred taxes.

Having reviewed the interim response and being otherwise sufficiently advised, the Commission finds that the Attorney General established good cause to amend the March 28, 2018 Order granting rehearing to the limited extent that the rehearing is not confined to capitalization and cost of capital, and the parties may raise any relevant issue related to TJCA.

IT IS THEREFORE ORDERED that:

1. The March 28, 2018 Order is amended to the limited extent that ordering paragraph 1 is stricken and replaced with the following language:

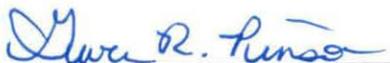
KU/LG&E’s petition for rehearing is granted and parties may raise any relevant issue related to TJCA.

2. All provisions of the March 28, 2018 Order that are not in conflict with the terms of this Order shall remain in effect.

By the Commission

ENTERED
MAR 30 2018
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

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